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10/804,081	03/19/2004	Sakari Kotola	4208-4047US1	7038

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EXAMINER

YUN, EUGENE

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/804,081

Applicant(s)

KOTOLA ET AL.

Examiner

Eugene Yun

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 52-71 is/are pending in the application.
- 4a) Of the above claim(s) 52-55 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 56-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-19 and 56-71 are rejected under 35 U.S.C. 102(b) as being anticipated by Philipsson (US 2001/0007815).

Referring to Claim 1, Philipsson teaches a method of connection establishment in a short-range wireless communication environment, comprising:

generating a RF-ID interrogation signal by a first terminal equipped with a RF-ID tag reader device (see paragraph [0007] where the first terminal is the stationary unit);

detecting the RF-ID interrogation signal by a second terminal equipped with means to detect and respond to RF-ID interrogation signals when within the range of the RF-ID interrogation signal (see paragraph [0020]);

notifying a processor in the second terminal of the presence of the RF-ID interrogation signal for setting a short-range communication module in the second terminal into a predefined operation mode for being capable of detecting paging signals directed to the second terminal (see paragraph [0022]);

responding to the RF-ID interrogation signal by transmitting a RF-ID response signal to the first terminal including identification information relating to the short-range communication module of the second terminal (see paragraphs [0020] and the last 3 lines of [0022]);

processing the received RF-ID response signal by the first terminal to activate a short-range communication module in the first terminal to initiate a shortened session setup by transmitting a short-range paging signal directed to the second terminal based on information of the received RF-ID response signal to establish a short-range connection with the second terminal (see last 7 lines of paragraph [0025]); and

detecting the paging signal by the short range communication module in the second terminal for immediate establishment of a short range connection between the first and second terminals (see last 3 lines of paragraph [0025]).

Referring to Claim 2, Philipsson also teaches incorporating in the second mobile terminal a RF-ID tag reader having tag functionality and terminal identification information (see paragraph [0025]).

Referring to Claim 3, Philipsson also teaches switching the RF-ID tag reader in the second terminal to operate in a show communication mode and simulate a RF-ID tag device (see paragraph [0028]).

Referring to Claim 4, Philipsson also teaches the first and second terminals including RF-ID tag readers operating in an active mode (see paragraph [0022] noting that both terminals have their own power supply, thus being active).

Referring to Claim 5, Philipsson also teaches the RF-ID tag reader of the second terminal operating in a powered downstate and passive mode (see paragraph [0028]).

Referring to Claim 6, Philipsson also teaches the RF-ID tag reader automatically switching to a passive state when de-energized (see paragraph [0028]).

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Referring to Claim 7, Philipsson also teaches the first and second terminals conforming to the principles of Bluetooth technology (see paragraph [0029]).

Referring to Claim 8, Philipsson also teaches the processor of the second terminal responding terminal to the second terminal informs the Bluetooth module of the second terminal to enter into a Bluetooth page scan mode after detecting an interrogation signal and responding to it with identification information of the Bluetooth communication module in order to provide a shortened device discovery and session setup between the terminals (see paragraph [0016]).

Referring to Claim 9, Philipsson also teaches transmitting the paging signal by the first terminal comprises transmitting by the first terminal a Bluetooth paging message to the second terminal including the Bluetooth identification information of the short-range communication module of the second terminal (see paragraph [0016]).

Referring to Claim 10, Philipsson also teaches the predefined operation mode of the second terminal is Bluetooth Page scanning mode (see paragraph [0016]).

Referring to Claim 11, Philipsson also teaches the identification information relating to the short-range communication module of the second terminal includes at least a unique Bluetooth identification number of the short-range communication module of the second terminal (see paragraph [0017]).

Referring to Claim 12, Philipsson also teaches periodically updating at least portion of the identification information relating to the second terminal (see paragraph [0025]).

Referring to Claim 13, Philipsson also teaches the identification information relating to the short-range communication module of the second terminal includes a Bluetooth serial

number and Bluetooth Clock Offset information of the short-range communication module of the second terminal (see paragraph [0016]).

Referring to Claim 14, Philipsson also teaches one of the terminals is a stationary access point connected to an infrastructure network enabling the other terminal to conduct transactions with service applications within the communication network through the established wireless short range connection (see paragraph [0005]).

Referring to Claim 15, Philipsson also teaches the infrastructure network as the Internet (see paragraph [0002]).

Referring to Claim 16, Philipsson also teaches the first and second terminals as mobile terminals (see paragraph [0027]).

Referring to Claim 17, Philipsson also teaches determining whether a short range connection is acceptable (see paragraph [0005]).

Referring to Claim 18, Philipsson also teaches instructing the short range communication module to enter into a page scanning mode if the Bluetooth mode is acceptable (see paragraph [0016]).

Referring to Claim 19, Philipsson also teaches instructing the short range communication module to enter into a non connectable connection if the Bluetooth mode is not acceptable (see paragraph [0028]).

Referring to Claim 56, Philipsson teaches a method of connection establishment in a wireless communication terminal, comprising:

detecting a RF-ID interrogation signal (see lines 3-4 of paragraph [0007]);

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responding to the RF-ID interrogation signal by transmitting a RF-ID response signal including identification information relating to a wireless short-range module of the terminal (see paragraphs [0020] and the last 3 lines of [0022]); and

instructing the wireless short-range communication module to enter into a predefined operation mode capable of detecting paging signals (see paragraph [0022]).

Claim 68 has similar limitations as claim 56.

Referring to Claim 62, Philipsson teaches a wireless communication terminal comprising:
a processor 21 (fig. 2);

a wireless short-range communication module configured to communicate over a wireless short-range communication connection (see lines 5-6 of paragraph [0019]); and

a near field communication module configured to detect a RF-ID interrogation signal (see lines 3-4 of paragraph [0007]) and send a response signal including identification information relating to the wireless short-range communicant module in response to the RF-ID interrogation signal, wherein the near field communication module is further configured to provide notification to the processor of the presence of the RF-ID interrogation signal (see paragraphs [0020] and the last 3 lines of [0022]); and

wherein the processor is configured to instruct the wireless short range-communication module to enter into a predefined operation mode for being capable of detecting paging signals to establish a wireless short-range communication connection in response to receiving the notification from the near field communication module (see paragraph [0022]).

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Referring to Claims 57 and 63, Philipsson also teaches including in the RF-ID response signal at least a unique Bluetooth identification number of the wireless short-range communication module (see paragraph [0016]).

Referring to Claims 58 and 64, Philipsson also teaches including in the RF-ID response signal a Bluetooth serial number and Bluetooth Clock Offset information of the wireless short-range communication module (see paragraph [0016]).

Referring to Claims 59, 65, and 69, Philipsson also teaches entering into a Bluetooth page scan mode after detecting the interrogation signal (see paragraph [0016]).

Referring to Claims 60, 66, and 70, Philipsson also teaches receiving a paging signal to activate the wireless short-range communication module (see paragraph [0022]).

Referring to Claims 61, 67, and 71, Philipsson also teaches initiating a shortened set up upon receiving a paging signal (see paragraph [0025]).

Response to Arguments

3. Applicant's arguments with respect to claims 56-71 have been considered but are moot in view of the new ground(s) of rejection.

4. Applicant's arguments filed 1/5/2007 have been fully considered but they are not persuasive.

The applicant argues that the Philipsson reference does not teach "generating a RF-ID interrogation signal by a first terminal equipped with a RF-ID tag reader device". To more clearly show that the Philipsson reference does indeed teach the above limitation, the examiner

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now points to paragraph [0007]. This passage clearly shows that the stationary terminal generates an RF-ID interrogation signal (line 4) and is also equipped with an RF-ID tag reader device (line 3). In addition, the above limitation in itself is a limitation very well known in the art.

The applicant argues that the Philipsson reference does not teach “notifying a processor in the second terminal of the presence of the RF-ID interrogation signal for setting a short-range communication module in the second terminal into a predefined operation mode for being capable of detecting paging signals directed to the second terminal”. The applicant also states that “there are no hints or suggestions in Paragraphs 0022 and 0025 that the terminal would be able to wake up or alert the short-range communication module to enter into a suitable state for enhancing connection set-up”. Regardless of whether or not the above statement is correct, there is nothing in the claim limitations which state that the terminal must “wake up or alert the short-range communication module to enter into a suitable state for enhancing connection set-up”. Therefore, the limitation as currently worded can equate to simply setting the second terminal in order to be able to detect short range paging signals, which paragraph [0022] indeed teaches.

The applicant argues that the Philipsson reference does not teach “responding to the RF-ID interrogation signal by transmitting a RF-ID response signal to the first terminal including identification information relating to the short-range communication module of the second terminal”. The examiner would like to point out that the first terminal is equated to the stationary terminal in the Philipsson reference and the second terminal is equated to the mobile terminal in the Philipsson reference. In paragraph [0022], the last 3 lines are believed to clearly indicate “responding to the RF-ID interrogation signal by transmitting a RF-ID response signal to the first

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terminal (sale terminal) including identification information (unique identification number) relating to the short-range communication module of the second terminal”.

The applicant argues that the Philipsson reference does not teach the first terminal forming a short-range connection with the second terminal in a shortened session setup. The examiner would like to reiterate that the first terminal is equated to the stationary terminal in the Philipsson reference and the second terminal is equated to the mobile terminal in the Philipsson reference. With that said, the last 4 lines of paragraph [0025] clearly show that the first terminal “establishes a connection” with the second terminal “via the first-short range radio link” **after** the response signal is received in the first terminal (line 13). The examiner also states that a shortened session setup is obvious since the connection is made only to make a payment.

The applicant argues that the Philipsson reference does not teach “detecting the paging signal by the short range communication module in the second terminal for immediate establishment of a short range connection between the first and second terminals” If the last four lines of paragraph [0025] state that the first terminal “finally establishes a connection” with the second terminal, then it should be obvious that the above limitation takes place.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571)272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



MATTHEW ANDERSON
SUPERVISORY PATENT EXAMINER


Eugene Yun